

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:16-cv-01869-KBJ

GUARDIAN NEWS & MEDIA LIMITED v. DEPARTMENT
OF JUSTICE

Assigned to: Judge Ketanji Brown Jackson

Cause: 05:552 Freedom of Information Act

Date Filed: 09/19/2016

Jury Demand: None

Nature of Suit: 895 Freedom of

Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

**GUARDIAN NEWS & MEDIA
LIMITED**

represented by **Jeffrey Louis Light**
LAW OFFICES OF JEFFREY LIGHT
1712 Eye Street, NW
Suite 915
Washington, DC 20006
(202) 277-6213
Fax: (202) 223-5316
Email: jeffrey@lawofficeofjeffreylight.com
ATTORNEY TO BE NOTICED

V.

Defendant

DEPARTMENT OF JUSTICE

represented by **R. Charlie Merritt**
U.S. DEPARTMENT OF JUSTICE –
RICHMOND
Civil Division
919 East Main Street
Suite 1900
Richmond, VA 23219
(202) 616-8098
Fax: (804) 819-7417
Email: robert.c.merritt@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marsha Wellknown Yee
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2539
Fax: (202) 252-2599
Email: marsha.yee@usdoj.gov
TERMINATED: 01/06/2017

Date Filed	#	Docket Text
09/19/2016	<u>1</u>	COMPLAINT against DEPARTMENT OF JUSTICE (Filing fee \$ 400 receipt number 0090-4679405) filed by GUARDIAN NEWS & MEDIA LIMITED. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons Attorney General, # <u>3</u> Summons Department of Justice, # <u>4</u> Summons USAO)(Light, Jeffrey) (Entered: 09/19/2016)
09/19/2016	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by GUARDIAN NEWS & MEDIA LIMITED (Light, Jeffrey) (Entered: 09/19/2016)
09/20/2016		Case Assigned to Judge Ketanji Brown Jackson. (zsb) (Entered: 09/20/2016)

09/20/2016	<u>3</u>	SUMMONS (3) Issued Electronically as to DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Consent Form)(zsb) (Entered: 09/20/2016)
09/20/2016	<u>4</u>	GENERAL ORDER AND GUIDELINES FOR CIVIL CASES BEFORE JUDGE KETANJI BROWN JACKSON. The Court will hold the parties and counsel responsible for following these directives, and parties and counsel should pay particular attention to the Courts instructions for briefing motions. Failure to adhere to this Order may, when appropriate, result the imposition of sanctions and/or sua sponte denial of non-conforming motions. Signed by Judge Ketanji Brown Jackson on 9/20/2016. (lckbj1) (Entered: 09/20/2016)
09/27/2016	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF JUSTICE served on 9/27/2016, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 09/27/2016., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 9/27/2016. (Answer due for ALL FEDERAL DEFENDANTS by 10/27/2016.) (Light, Jeffrey) (Entered: 09/27/2016)
10/25/2016	<u>6</u>	NOTICE of Appearance by Marsha Wellknown Yee on behalf of DEPARTMENT OF JUSTICE (Yee, Marsha) (Entered: 10/25/2016)
10/25/2016	<u>7</u>	Unopposed MOTION for Extension of Time to <i>File Defendant's Response to Plaintiff's Complaint</i> by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Yee, Marsha) (Entered: 10/25/2016)
10/26/2016		MINUTE ORDER granting, for good cause shown, <u>7</u> Unopposed Motion for Extension of Time to Answer. It is hereby ORDERED that Defendant shall answer or otherwise respond to the complaint on or before 1/6/2017. Signed by Judge Ketanji Brown Jackson on 10/26/2016. (lckbj1) (Entered: 10/26/2016)
01/05/2017	<u>8</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Robert Charles Merritt, III on behalf of DEPARTMENT OF JUSTICE Substituting for attorney Marsha W. Yee (Merritt, Robert) (Entered: 01/05/2017)
01/06/2017	<u>9</u>	ANSWER to Complaint by DEPARTMENT OF JUSTICE.(Merritt, Robert) (Entered: 01/06/2017)
01/06/2017	<u>10</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to DEPARTMENT OF JUSTICE. Attorney Marsha Wellknown Yee terminated. (Yee, Marsha) (Entered: 01/06/2017)
01/06/2017		MINUTE ORDER. Before the Court in this FOIA case are a complaint and an answer. It is hereby ORDERED that the parties shall promptly confer and file a joint proposed schedule for briefing or disclosure, on or before 1/20/2017. Signed by Judge Ketanji Brown Jackson on 1/6/2017. (lckbj1) (Entered: 01/06/2017)
01/23/2017	<u>11</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, Robert) (Entered: 01/23/2017)
01/24/2017		MINUTE ORDER. Based on the representations made in the parties' <u>11</u> Joint Status Report, it is hereby ORDERED that, on or before 3/24/2017, the parties shall file a further status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 1/24/2017. (lckbj1) (Entered: 01/24/2017)
03/24/2017	<u>12</u>	Joint STATUS REPORT by GUARDIAN NEWS & MEDIA LIMITED. (Attachments: # <u>1</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 03/24/2017)
03/27/2017		MINUTE ORDER. Based on the representations made in the parties' <u>12</u> Joint Status Report, it is hereby ORDERED that, on or before 4/3/2017, the parties shall file a further status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 03/27/2017. (lckbj1) (Entered: 03/27/2017)

04/03/2017	<u>13</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, Robert) (Entered: 04/03/2017)
04/05/2017		MINUTE ORDER. Based on the representations in the parties' <u>13</u> Joint Status Report, it is hereby ORDERED that: (1) The FBI shall process for production/withholding a minimum of 600 pages of potentially responsive records and make an interim production of non-exempt records that are subject to FOIA and responsive to Plaintiff's 2016 FOIA Requests on or before 6/1/2017; (2) Following the 6/1/2017 production, the FBI shall process for production/withholding 500 pages of potentially responsive records per month until the FBI has processed all records responsive to Plaintiff's 2016 FOIA Requests. The FBI shall make interim production of non-exempt records that are subject to FOIA and responsive to Plaintiff's 2016 FOIA Requests on or before the first day of every month, beginning on 7/1/2017; and (3) The parties shall file joint status reports, to include the FBI's progress conducting cross-reference searches for Plaintiff's requested search items, every 30 days. The first such status report shall be filed by no later than 6/8/2017. Signed by Judge Ketanji Brown Jackson on 04/05/2017. (lckbj1) (Entered: 04/05/2017)
06/08/2017	<u>14</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, Robert) (Entered: 06/08/2017)
07/10/2017	<u>15</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, Robert) (Entered: 07/10/2017)
08/09/2017	<u>16</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, Robert) (Entered: 08/09/2017)
09/08/2017	<u>17</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, Robert) (Entered: 09/08/2017)
10/11/2017	<u>18</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, Robert) (Entered: 10/11/2017)
11/08/2017	<u>19</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, Robert) (Entered: 11/08/2017)
12/08/2017	<u>20</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, Robert) (Entered: 12/08/2017)
01/08/2018	<u>21</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, Robert) (Entered: 01/08/2018)
02/07/2018	<u>22</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, Robert) (Entered: 02/07/2018)
03/09/2018	<u>23</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, Robert) (Entered: 03/09/2018)
04/09/2018	<u>24</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, Robert) (Entered: 04/09/2018)
05/09/2018	<u>25</u>	Joint STATUS REPORT <i>and Proposed Modification to Processing Schedule</i> by DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Merritt, Robert) (Entered: 05/09/2018)
05/14/2018		MINUTE ORDER ADOPTING parties' Joint Proposed Modification to Processing Schedule. It is hereby ORDERED that the FBI shall make its next interim production on June 15, 2018, and shall continue to process for production/withholding 500 pages of potentially responsive records per month until the FBI has processed all records responsive to Plaintiffs 2016 FOIA Requests, making interim productions on or before the 15th of every month thereafter. It is FURTHER ORDERED that the parties shall file their next joint status report on or before June 22, 2018, and every 30 days thereafter. Signed by Judge Ketanji Brown Jackson on 05/14/2018. (lckbj1) (Entered: 05/14/2018)
06/22/2018	<u>26</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, Robert) (Entered: 06/22/2018)

07/23/2018	<u>27</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, Robert) (Entered: 07/23/2018)
08/22/2018	<u>28</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, Robert) (Entered: 08/22/2018)
09/10/2018	<u>29</u>	NOTICE of Change of Address by Robert Charles Merritt (Merritt, Robert) (Entered: 09/10/2018)
09/21/2018	<u>30</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, R.) (Entered: 09/21/2018)
09/21/2018	<u>31</u>	SUPERSEDING GENERAL ORDER AND GUIDELINES FOR FOIA CASES ASSIGNED TO JUDGE KETANJI BROWN JACKSON. This Order supersedes this Courts prior <u>4</u> General Order and Guidelines for Civil Cases. The Court will hold the parties and counsel responsible for following these amended directives, and parties and counsel should pay particular attention to the Court's instructions for processing and production of records, batching motions, and filing exhibits. Failure to adhere to this Order may, when appropriate, result the imposition of sanctions and/or sua sponte denial of non-conforming motions. Signed by Judge Ketanji Brown Jackson on 9/21/2018. (lckbj1) (Entered: 09/21/2018)
10/23/2018	<u>32</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, R.) (Entered: 10/23/2018)
11/21/2018	<u>33</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, R.) (Entered: 11/21/2018)
12/21/2018	<u>34</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, R.) (Entered: 12/21/2018)
12/26/2018	<u>35</u>	Unopposed MOTION to Stay by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Merritt, R.) (Entered: 12/26/2018)
12/26/2018		MINUTE ORDER granting <u>35</u> Unopposed Motion to Stay in light of lapse of appropriations. For good cause shown, it is hereby ORDERED that this case is STAYED. Counsel for Defendant shall notify the Court as soon as Congress has appropriated funds; at that point, the Court will enter an order resetting the applicable deadlines, which will be extended day-for-day with the duration of the lapse in appropriations. Signed by Judge Ketanji Brown Jackson on 12/26/2018. (lckbj1) (Entered: 12/26/2018)
12/26/2018		Case Stayed (hs) (Entered: 12/26/2018)
01/28/2019	<u>36</u>	NOTICE of Restoration of Appropriations by DEPARTMENT OF JUSTICE (Merritt, R.) (Entered: 01/28/2019)
01/30/2019	<u>37</u>	Joint STATUS REPORT and Proposed Schedule for Further Proceedings by DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Merritt, R.) (Entered: 01/30/2019)
01/30/2019		MINUTE ORDER. Defendant has provided notice that that an appropriations act providing funding to the Department of Justice for a three-week period of time was enacted on January 25, 2019 (ECF No. <u>26</u> .) Accordingly, it is hereby ORDERED that the stay in this matter is lifted, and that processing and production of records in this case shall proceed according to the following schedule: (1) the FBI shall make its next interim production on or before February 15, 2019, and shall continue to process for production/withholding 500 pages of potentially responsive records per month until the FBI has processed all records responsive to Plaintiffs 2016 FOIA Requests, making interim production of non-exempt records that are subject to FOIA and responsive to Plaintiffs 2016 FOIA Requests on or before the 15th day of every month; and (2) the parties shall file their next joint status report updating the Court about the FBI's monthly productions on or before February 26, 2019, and every 30 days thereafter. Signed by Judge Ketanji Brown Jackson on 1/30/2019. (lckbj1) (Entered: 01/30/2019)
02/26/2019	<u>38</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, R.) (Entered: 02/26/2019)

03/28/2019	<u>39</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Merritt, R.) (Entered: 03/28/2019)
------------	-----------	---